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August 14, 2024

Honorable Jessica S. Allen, USMJ
United States District Court for the District of New Jersey
40 Walnut St.
Newark, NJ 07102

Via PACER

Re: Progressive Casualty Insurance Co. v. National Specialty Ins. Co., et al.

Case # 22-cv-01707
Our File No.: 30344.00021

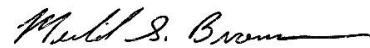
Dear Judge Allen,

We represent defendants Trisura Specialty Insurance Co. (Trisura) and Odyssey Freight Services, Inc. (Odyssey). This is to inform the Court and counsel in advance of the September 11, 2024 status conference that we continue to be stymied in our efforts to secure information from Odyssey, which affects our ability to provide Rule 26 disclosures. As mentioned during the June 25, 2024 telephone conference, Odyssey remains unresponsive to our inquiries. We have exhausted all available means to reach the company, including persistent telephone calls to multiple numbers; correspondence; certified mailing; emails; and on the ground and data-based investigation by an investigator we retained. All these efforts have been to no avail. We have forwarded this information to Odyssey's insurance company, Trisura and await its direction.

In the meantime, we are without independent knowledge or information to complete our Rule 26 disclosures and we are uncertain about the information set forth in our Rule 7.1 disclosures, which were submitted on information and belief. We intend to keep pressing but are not sanguine about the result. Any Rule 26 disclosures we could provide would be based solely on information derived from the other parties. We do not believe that would be meaningful. For these reasons, we respectfully request permission to delay filing Rule 26 disclosures and updating our Rule 7.1 disclosure and discuss this at the upcoming conference at which time we will have received Trisura's response.

Please do not hesitate to contact me if there are questions or comments.

Respectfully,



Michael S. Brown

cc. Honorable Susan D. Wiggeton USDJ and all counsel by PACER